

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DIGITAL MEDIA SOLUTIONS, LLC

Plaintiff,

vs.

SOUTH UNIVERSITY OF OHIO, LLC,
et al.

Defendant.

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Case No. 1:19-cv-145

JUDGE DAN AARON POLSTER

MAGISTRATE JUDGE THOMAS M.
PARKER

**TECH PARK 6, LLC’S MOTION TO INTERVENE
AND EMERGENCY MOTION TO EXPEDITE
DECISION TO ASSUME OR REJECT LEASE**

Tech Park 6, LLC (“Tech Park”), by and through its undersigned counsel, DLA Piper LLP (US), submits this motion (the “Motion”) pursuant to Rule 24 of the Federal Rules of Civil Procedure for entry of an order, substantially in the form attached to the accompanying Memorandum as **Exhibit A** (the “Proposed Order”), allowing it to intervene in this case to assert its claim and protect its rights as landlord for certain premises located in Henderson, Nevada, currently leased by the Art Institute of Las Vegas, an entity in receivership in this case.

This Motion also seeks emergency relief from the Court requiring the Receiver to (a) elect to assume or reject the Lease within 30 (thirty) days of the entry of the Proposed Order; and (b) pay all Rent contemplated under the Lease for use of the Premises on a per diem basis from entry of the Receivership Order on January 18, 2019, forward.

A Memorandum in support of the relief requested in the Motion is attached.

Dated: February 20, 2019

DLA PIPER LLP (US)

/s/ Richard A. Chesley

Richard A. Chesley (OH-0029442)

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Counsel for Tech Park 6, LLC

CERTIFICATE OF SERVICE

In accordance with Section 1.4 of the Electronic Filing and Procedures Manual of the Northern District of Ohio and Federal Rule of Civil Procedure 5(b)(2)(E), a copy of the foregoing has been served through the Court's filing system on all counsel of record on February 20, 2019.

/s/ Richard A. Chesley
Richard A. Chesley (OH-0029442)